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(endnotes are included for information and would not be tabled)

RESOLUTION 102 (Rev.

~~Marrakesh~~Antalya, 2006~~2~~)

Management of Internet domain names and addresses

The Plenipotentiary Conference of the International Telecommunication Union (
Antalya ~~Marrakesh~~, 2006~~2~~),

aware

that the purposes of the Union are, *inter alia*, to promote, at the international level, the adoption of a broad approach to the issues of telecommunications in the global information economy and society

by cooperating with other world and regional intergovernmental organizations and those non-

governmental organizations concerned with telecommunications ^[i], to promote the extension of the benefits of new telecommunication technologies to all the world's inhabitants and to harmonize the efforts of Member States and Sector Members in the attainment of those ends,

considering

a) that advances in the global information infrastructure, including the development of Internet Protocol (IP) based networks and especially the Internet, are of crucial importance as an important engine for growth in the world economy in the twenty first century;

b) that the private sector is playing a very important role in the expansion and development of the Internet, for example through investments in infrastructures and services

^[ii]

, continued technical enhancements and taking the lead in day-to-day operations;

b) bis) that through cooperation with other world and regional intergovernmental organizations and non-governmental organizations with functions and activities in this area, ITU can avoid duplication,

improve collaboration, facilitate budgetary efficiency and thereby advance continued effective operation of the Internet,

- c) that the development of the Internet is essentially market led and driven by private and government initiatives;
- d) that the management of the registration and allocation of Internet domain names and addresses must fully reflect the geographical and functional nature of the Internet, taking into account an equitable balance of interests of all stakeholders;
- e) that Internet domain names and addresses, and more generally the Internet and global information networks, must be widely accessible to all citizens without regard to gender, race, religion or country of residence;
- f) that the methods of allocation of Internet domain names and addresses should not privilege any country or region of the world to the detriment of others;
- g) that the management of the Internet is a subject of valid international interest and must flow from full international cooperation;
- h) that the expanding use of the Internet is expected to lead to the need for an increased capacity of IP addresses;
- i) that Member States represent the interests of the population of the country or territory for which a country code top-level domain (ccTLD) has been delegated;
- j) that Member States should play an active role in coordinating the resolution of management and administrative constraints arising with respect to their ccTLDs,

recognizing

- a) that ITU is dealing with issues related to IP based networks in general and the Internet in particular;
 - b) that ITU performs worldwide coordination of a number of name and address allocation systems and acts as a forum for policy discussion in this area;
 - c) that ITU can play a positive role by offering a platform for encouraging discussions, and for the dissemination of information, particularly to developing country governments, on the management of Internet domain names and addresses
- in cooperation and coordination with the Internet Corporation for Assigned Names and Numbers (ICANN), the not-for-profit, private sector organization tasked with technical management of the

[iii]

Internet's naming and addressing system ;

- d) that through

such enhanced international cooperation, ITU and ITU-T should contribute to policy development related to the management of Internet domain names and addresses by continuing to participate, respectively, in the Governmental Advisory Committee (GAC) and the Technical Liaison Group (TLG)
[iv]

at ICANN,

emphasizing

a) that the management of Internet domain names and addresses
~~includes:~~encompasses both technical and related public policy issues and should involve all stakeholders
[v]

~~— technical and coordination tasks, for which technical private bodies can be responsible, and;~~
~~— public interest matters (for example, stability, security, freedom of use, protection of individual rights, sovereignty, competition rules and equal access for all), for which governments or intergovernmental organizations are responsible and to which qualified international organizations contribute;~~

b) that the methods of allocation of global and essential resources such as Internet domain names and addresses are of interest to
~~both governments and the private sector~~ all stakeholders;

c) that the role of governments is to provide a clear, consistent and predictable legal framework, to promote a favourable environment in which global information networks are interoperable and widely accessible to all citizens, and to ensure adequate protection of public interests in the management of Internet domain names and addresses;

NOTE: We would prefer to see (c), (d) and (e) deleted in their entirety because of the concerns they raise, particularly in the post-WSIS environment. If that is not feasible, then we propose they be adapted to reflect the status quo more accurately.

d) that it is in the public interest that
ICANN's ~~the system that~~ management of s Internet domain names and addresses continues to have~~has~~ transparent rules and procedures, including dispute resolution procedures to facilitate the protection of intellectual property rights;

e) that governments are expected to promote, as appropriate, a fair competitive environment among companies or organizations involved in ~~responsible for~~ Internet resource allocation, which will bring benefits to all categories [vi] of users including, greater choice, lower prices, and better services; -

resolves to instruct the Secretary General

1 to take a ~~significant~~ role in international discussions and initiatives on the management of Internet domain names and addresses, taking into account associated developments and the purposes of the Union, and to the extent consistent with the work of the organization responsible for coordination in this area.;

2 to encourage all Member States to participate in the discussions on international management of Internet domain names and addresses

[vii]

in ICANN, so that worldwide representation in the debates can be ensured;

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3 to liaise and to cooperate, in conjunction with the Bureaux, with the regional telecommunication organizations pursuant to this resolution;

4 to provide assistance, in conjunction with the Bureaux, to Member States, if so requested, in order to achieve their stated policy objectives with respect to the management of Internet domain names and addresses, in cooperation and collaboration with ICANN;

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NOTE: This paragraph is so vague that it warrants deletion.

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5 to report annually to the Council on the activities undertaken on this subject, including how each role and activity relates to Strategic and Operation Plan and ITU Mission, the budgetary impact, and the degree of cooperation between ITU and these organizations and their respective roles, drawing the required information wherever possible from existing sources, for

distribution widely among the Member States and Sector Members, the advisory bodies of the three Sectors and other groups involved,

instructs the Director of the Telecommunication Standardization Bureau

1 to continue to liaise and to cooperate with ICANN and other appropriate entities on relevant Internet domain name and address management issues, such as the transition to IP Version 6 (IPv6), ENUM, and internationalized domain names (IDN);

2 to work with Member States and Sector Members, in cooperation with ICANN recognizing the activities of other appropriate entities, to review Member States' ccTLD and other related experiences;

3
[DELETE b/c addressed: to work with Member States and Sector Members, recognizing the activities of other appropriate entities, to ~~develop a recommendation to~~ clarify the management of the domain ".int";]

4 to report annually to the Council on the activities undertaken on this subject, including how each role and activity relates to Strategic and Operation Plan and ITU Mission, the budgetary impact, and the degree of cooperation between ITU and these organizations and their respective roles, drawing the required information wherever possible from existing sources, for distribution widely among the Member States and Sector Members, the advisory bodies of the three Sectors and other groups involved,

instructs the Director of the Telecommunication Development Bureau

1 to provide information ~~organize international and regional forums, in conjunction with appropriate entities,~~ for the period 2006~~2~~-2010, as appropriate, for Member States, especially for least developed countries~~06~~, to facilitate their participation in international and regional fora organized by relevant entities in order to share views on ~~discuss~~ policy, operational and technical issues related to ~~on~~ the Internet in general and the management of Internet domain names and addresses in particular ~~for the benefit of Member States, especially for least developed countries;~~

2 to report annually to the Council on the activities undertaken on this subject, including how each role and activity relates to Strategic and Operation Plan and ITU Mission, the budgetary impact, and the degree of cooperation between ITU and these organizations and their respective roles, drawing the required information wherever possible from existing sources, for

distribution widely among the Member States and Sector Members, the advisory bodies of the three Sectors and other groups involved,

instructs the Council

to take appropriate measures in order to contribute actively to international discussions and initiatives related to the management of Internet domain names and addresses,

invites Member States

1 to participate actively in the discussions on the management of Internet domain names and addresses taking place in the organization responsible for coordination in this area, particularly in the Governmental Advisory Committee (GAC) ~~and notably on progress being made in pursuit of their policy objectives;~~

2 to participate in and follow the policy, operational and technical developments of the management of Internet domain names and addresses in such manner;

3 to increase awareness at national level among all appropriate entities, and to encourage their participation in the management of Internet domain names and addresses

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invites Sector Members

1 to participate actively in the discussions on the management of Internet domain names and addresses taking place in ICANN,

2 to participate in and follow the policy, operational and technical developments of the management of Internet domain names and addresses in such manner;

3 to increase awareness at national level among all appropriate entities, and to encourage their participation in the management of Internet domain names and addresses.

ENDNOTES

(For Background Information Only)

[i]

ITU Constitution Art 1(g).

[ii]

TIAS, para 55 states: “and taking the lead in day-to-day operations, with innovation and value creation at the edges”.

Note: In this Tunis Agenda text, WSIS recognized the value of innovation at the edges. This acknowledgment highlights the genius of the Internet in its ability to empower people (democratization; creativity, competition, etc). The phrase is not intended to suggest that the network does not and can not contribute to end-to-end functionality and to enhancing the ability of users to innovate at the edges.

[iii]

See, e.g., the GAC Operating Principles, at http://gac.icann.org/web/home/GAC_Operating_Principles.doc . See more generally GAC website at http://gac.icann.org/web/about/gac-outreach_English.htm: “. . . responsibility for DNS management to the Internet Corporation for Assigned Names and Numbers (ICANN), an organisation formed by the global community of Internet stakeholders. ICANN is an independent, not-for-profit, private sector corporation based in California tasked with managing the technical co-ordination functions for the Internet. If any single organisation can be said to have overall responsibility for Internet technical functions, it is ICANN.” See also ITU’s “A Handbook on Internet Protocol (IP) Based Networks and Related Topics and Issue,” para. 2.4.4.

[iv]

Re: ITU’s formal role in ICANN: The ITU participates in the GAC as an observer. In addition, ITU-T is one of four organizations (along with ETSI, W3C and the IAB) that form the Technical Liaison Group (TLG). The TLG channels technical information and guidance to the ICANN Board and to other ICANN entities. The TLG appoints a non-voting liaison to the ICANN Board and selects a delegate to the ICANN Nominating Committee.

[v]

TAIS, para. 35

[vi]

GAC Operating Principles at http://gac.icann.org/web/home/GAC_Operating_Principles.doc

[vii]

Letter from GAC Chairman entitled “Following WSIS: Open Invitation to the Governments of the World”: “Although GAC membership is steadily increasing, there are still a number of countries that are not yet represented.” See <http://gac.icann.org/web/index.shtml>.